

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION**

Shervin Pierre,	)	
	)	
Petitioner,	)	Civil Action No.: 4:05-179-CWH
	)	
vs.	)	
	)	
United States of America,	)	<b>ORDER</b>
	)	
Respondent.	)	
_____	)	

On January 18, 2005, pursuant to 28 U.S.C. §2255, Shervin Pierre (“petitioner”) commenced this pro se action claiming that he was denied the right to appeal his conviction and sentence. On April 4, 2005, the government moved for summary judgment. On April 7, 2005, the Court issued a Roseboro order advising the petitioner of summary judgment dismissal procedure and informing the petitioner that he must adequately respond within 34 days of the date of the order. On December 5, 2005, the Court issued an order giving the petitioner an additional 30 days to respond. On January 10, 2006, the petitioner filed a motion to voluntarily dismiss this case. Pursuant to Fed. R. Civ. P. Rule 41(a)(2), the Court therefore dismisses this action without prejudice.

**AND IT IS SO ORDERED.**



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**C. WESTON HOUCK  
UNITED STATES DISTRICT JUDGE**

January 24, 2006  
Charleston, South Carolina